

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.239 OF 2003

Shri Tukaram Narsinh Lakade.

...Petitioner.

Vs.

Freedom Fighters High Power & Ors.

...Respondents.

....

Mr. A. M. Kulkarni for the Petitioner.

Mr. V. P. Malvankar, AGP for the Respondents.

.....

**CORAM : F.I. REBELLO, J. AND
DR.D.Y.CHANDRACHUD, J.**

February 8, 2006.

P.C.

Rule. Heard forthwith.

It is the case of the Petitioner that his claim for freedom fighter's pension has been rejected by an order dated 27th March 1991 and no reasons have been disclosed as to why his claim is rejected. It is also pointed out that he has now further material that will establish his right to freedom fighter's pension.

On a perusal of the order dated 27th March 1991, we find that the claim of the Petitioner has been rejected on the ground that he does not fall within the scheme. No reasons have been set out as to which part of the scheme, the Petitioner does not fall. In

the light of that, we are inclined to interfere with the impugned order and set aside the same and remand the matter back to Respondent No.1 for reconsideration and disposal according to law and by giving reasons. It will be open to the Petitioner to furnish before Respondent No.1 any fresh material that he may have, within a period of four weeks from today. On receiving such material, Respondent No.1 to dispose of the same, at any rate within 12 weeks of receipt of the additional material from the Petitioner. Rule made absolute accordingly. No order as to costs.

(F.I. Rebello, J.)

(Dr. D.Y. Chandrachud, J.)